

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ADRON LITTLEMON FLOYD,

Plaintiff,

v.

Case No. 2:05-cv-102
HON. R. ALLAN EDGAR

DAVE BURNETT, et al.,

Defendants.

REPORT AND RECOMMENDATION

Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. On September 16, 2005, defendants filed a motion for summary judgment. On September 23, 2005, the undersigned issued an order requiring plaintiff to file a response to defendants' motion within 28 days. Plaintiff's copy of the order was returned to this Court as undeliverable, indicating that plaintiff had been paroled and had left no forwarding address. Plaintiff has failed to keep this Court apprised of his current address and has failed to file a response to defendants' motion. Therefore, it is recommended that plaintiff's complaint be dismissed in its entirety, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute. *See Catz v. Chalker*, 142 F.3d 279, 286 (6th Cir. 1998); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991); *Buck v. U.S. Dept. of Agriculture*, 960 F.2d 603 (6th Cir. 1992).

NOTICE TO PARTIES: Objections to this Report and Recommendation must be served on opposing parties and filed with the Clerk of the Court within ten (10) days of receipt of this Report and Recommendation. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); W.D. Mich. LCivR 72.3. Failure to file timely objections constitutes a waiver of any further right to appeal.

United States v. Walters, 638 F.2d 947 (6th Cir. 1981). *See also Thomas v. Arn*, 474 U.S. 140 (1985).

/s/ Timothy P. Greeley
TIMOTHY P. GREELEY
UNITED STATES MAGISTRATE JUDGE

Dated: November 14, 2005